

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARY CLAIRE RUTHERFORD,

Plaintiff,

v.

STATE OF WASHINGTON,
DEPARTMENT OF SOCIAL AND
HEALTH SERVICES, STATE OF
WASHINGTON CHILD STUDY &
TREATMENT CENTER; MARY LAFOND,
Chief Executive Officers, and JON
MCCLELLAN, M.D., Medical Director

Defendants.

No. CV04-5020RBL

ORDER ON EVIDENCE OF PROTECTED
SPEECH

This matter is before the court at the request of the Defendants to “define what speech made by the Plaintiff is constitutionally protected” prior to the commencement of trial, now scheduled for September 15, 20008.

After reviewing the materials submitted, the record, and *Garcetti v. Ceballos*, 547 U.S. 410 (2006), the Court agrees with the Defendants that the only speech made by Plaintiff which is arguably outside her role as an employee of the Defendant consists of the two

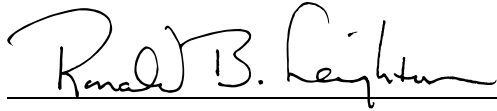
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2 letters she wrote to Dennis Braddock on December 5, 2000, and July 2, 2001.

3 **IT IS SO ORDERED.**

4 Dated this 12th day of September, 2008

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6 A handwritten signature in cursive script, reading "Ronald B. Leighton", written over a horizontal line.

7 RONALD B. LEIGHTON
8 UNITED STATES DISTRICT JUDGE
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